

to effect that which are specifically enumerated and permitted, but whatever they shall think or pretend will be for the general welfare. And what is our resource for the preservation of the Constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. They are joined in the combination, some from incorrect views of government, some from corrupt ones, sufficient voting together to out-number the sound parts, and with majorities of only one, two or three bold enough to go forward in defiance. Are we then to stand to our arms with the hot-headed Georgian? No. That must be the last resource, not to¹ be thought of until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted at once as a dissolution of it none can ever be formed which would last one year. We must have patience and longer endurance, then, with our brethren while under delusion; give them time for reflection and experience of consequences; keep ourselves in a situation to profit by the chapter of accidents; and separate from our companies only when the sole alternatives left are the dissolution of our union with them, or submission to a government without limitation of powers. Between these two evils, when we must take a choice, there can be no hesitation. But in the meanwhile, the States should be watchful to> note every material usurpation on their rights, to denounce them as they occur in the most peremptory terms; to protest against them as wrongs to which our present submission shall be considered not as acknowledgments or precedents of right but as a temporary yielding to the lesser evil until their accumulation shall overweigh that of separation. (To William Giles, 1825. C. VII., 426.)

THE CONSTITUTION.—I answer that *constitutio*, *constitutum*, *statum*, *lex* are convertible terms. The term constitution has many significations in physics and politics; but in jurisprudence, whenever it is applied to any act of the legislature, it invariably, means a statute, law, or ordinance. * * * To get rid of the magic supposed to be in the word constitution, let us translate it into its definition as given by those who think it above the power of the law; and let us suppose the convention, [of Vir-